

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION**

L.M., a minor by and through his father
and stepmother, Christopher and Susan
Morrison,

Plaintiff,

v.

**TOWN OF MIDDLEBOROUGH;
MIDDLEBOROUGH SCHOOL
COMMITTEE; CAROLYN J. LYONS,**
Superintendent of the Middleborough
Public Schools, in her official capacity;
and **HEATHER TUCKER**, acting
Principal of Nichols Middle School, in
her official capacity,

Defendants.

CASE NO.: 23-cv-11111

Honorable Judge Indira Talwani

PLAINTIFF'S NOTICE OF APPEAL

Please take notice that Plaintiff L.M. hereby appeals, pursuant to 28 U.S.C. § 1292(a)(1), to the United States Court of Appeals for the First Circuit from the Order of this Court entered on June 16, 2023 [Doc. No. 51] Denying Plaintiff's Motion for Preliminary Injunction.

Respectfully submitted this 23rd day of June, 2023.

s/ P. Logan Spena

David A. Cortman*
GA Bar No. 188810
ALLIANCE DEFENDING FREEDOM
1000 Hurricane Shoals Rd. NE
Suite D-1100
Lawrenceville, GA 30043
Telephone: (770) 339-0774
dcortman@ADFlegal.org

Tyson C. Langhofer*
P. Logan Spena*
ALLIANCE DEFENDING FREEDOM
44180 Riverside Parkway
Lansdowne, Virginia 20176
Telephone: (571) 707-4655
tlanghofer@ADFlegal.org
lspena@ADFlegal.org

Andrew Beckwith
MA Bar No. 657747
MASSACHUSETTS FAMILY INSTITUTE
401 Edgewater Place, Suite 580
Wakefield, MA 01880
Telephone: (781) 569-0400
andrew@mafamily.org

Attorneys for Plaintiff
**Admitted Pro Hac Vice*

CERTIFICATE OF SERVICE

I hereby certify that on June 23, 2023, I electronically filed the foregoing using the CM/ECF system, which automatically sends an electronic notification with this filing to the following attorneys of record:

Deborah I. Ecker
Gregg J. Corbo
KP Law, P.C.
101 Arch Street
Boston, MA 02110
617-654-1714
617-556-0007
Fax: 617-654-1735
decker@k-plaw.com
gcorbo@k-plaw.com

Garrett A.D. Gee
John M. Simon
Kay H. Hodge
Stoneham, Chandler & Miller LLP
99 High Street
Boston, MA 02110
740-644-9406
617-542-6789
Fax: 617-556-8989
ggee@scmlp.com
jsimon@scmlp.com
KHodge@scmlp.com

Dated: June 23, 2023

s/ P. Logan Spena

P. Logan Spena

Attorney for Plaintiff